

REMARKS

Claims 1-28 and 30-32 are pending in the present application. Claims 1-28 and 30-32 have been rejected. Claims 1, 17, 20, 21, 28 and 32 are independent claims. Claims 1, 17, 20, 21, 28 and 32 have been amended. Applicant submits that all of the presently pending claims are in condition for allowance.

Claim Rejections – 35 USC § 112

The Examiner stated that claims 1 and 17 were rejected under 35 U.S.C. §112, second paragraph, as allegedly omitting an essential element required for the invention to operate. Applicant has amended each of the independent claims to further clarify the subject matter of the invention. For instance, claim 1 has been amended to recite additional details of the MSC transmitting and/or receiving communication signals from the personal ring back tone platform. Moreover, the connection between the MSC and the personal ring back tone platform has been further clarified by these amendments. Accordingly, Applicant submits that the features recited in claims 1 and 17 is in compliance with 35 U.S.C. §112, second paragraph. Withdrawal of the rejection is kindly requested.

Claim Rejections – 35 USC § 103

The Examiner stated that claims 1-28 and 30-32 were rejected under 35 U.S.C. §103(a) as being unpatentable over by Beauford (US Patent Application Pub. # 20050094796) in view of DeMent (US Patent Application Pub. # 20050117726). This rejection is respectfully traversed.

The present application is directed to providing a personal ring back tone or personalized connection tone functionality that permits a wireless customer to program custom ringing announcements or sounds to be heard by a calling party. The person who calls the wireless customer would hear the tone that the wireless customer intended them to hear instead of the tone that would normally be heard.

Claim 1 recites, in part, “receiving a location request return result message at a mobile switching center (MSC); responsive to receiving the location request return result message, transmitting an initial address message (IAM) to initiate seizure of an outgoing circuit and to provide call routing information to a personal ring back tone platform; responsive to transmitting the IAM, receiving an address complete message (ACM) including an optional backward call indicator parameter at the MSC; and receiving the personalized ring back tone from the personal ring back tone platform while normal call progress is occurring.” Beauford fails to disclose the above-noted features recited in claim 1.

Beauford is directed to a call device that sets a call category for a call to indicate that the call terminates at an announcement server prior to connection with a called communication device. Upon receipt of an answer message from the announcement server component, the call control component drops the answer message based on the call category. The Examiner admitted that Beauford fails to disclose or suggest “receiving the address complete message (ACM) with an optional backward call indicator parameter.” Applicant agrees that Beauford fails to disclose all of the subject matter of the pending claims. However, Applicant disagrees that DeMent cures those admitted deficiencies of Beauford with respect to claim 1.

DeMent does briefly mention that an ACM message may include an optional backward call indicator, however, there is no disclosure in DeMent of “receiving a location request return result message at a mobile switching center (MSC); responsive to receiving the location request return result message, transmitting an initial address message (IAM) to initiate seizure of an outgoing circuit and to provide call routing information to a personal ring back tone platform; responsive to transmitting the IAM, receiving an address complete message (ACM) including an optional backward call indicator parameter at the MSC”, as recited in claim 1 and similarly recited in claims 17, 20, 21, 28 and 32.

Accordingly, Beauford in combination with DeMent does not disclose all of the features recited in any of the pending independent claims 1, 17, 20, 21, 28 and 32. By virtue of dependency, those claims dependent thereon are also allowable over Beauford and DeMent. Withdrawal of the rejection of claims 1-28 and 30-32 is kindly requested.

CONCLUSION

For the above reasons, the foregoing amendment and response places the Application in condition for allowance. Therefore, it is respectfully requested that the rejection of the claims be withdrawn and full allowance granted. Should the Examiner have any further comments or suggestions, please contact the undersigned.

	Respectfully submitted,
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